

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR**

**CRIMINAL APPLICATION (APPP) NO.332 OF 2019**  
**IN**  
**MISC. CRIMINAL APPLICATION (APPR) NO.61 OF 2019**  
**IN**  
**CRIMINAL REVISION NO.51 OF 2017**

(Riyaj Ahemadkha Niyaj Ahemadkha Vs. Mohd. Ayyaj Mohd. Fayyaj)

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*Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's Orders.*

*Court's or Judge's orders.*

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Shri A.V. Band, Advocate for Applicant.  
Shri S.Y. Ghaniwale, Advocate for Complainant/Respondent.

**CORAM: M.G. GIRATKAR, J.**

**DATE: 25<sup>th</sup> FEBRUARY, 2019.**

Heard Advocate Shri A.V. Band for the applicant  
and Advocate Shri S.Y. Ghaniwale for the  
complainant/respondent.

Looking to the submissions delay is condoned to  
restore the revision. The revision is restored.

Both counsel have submitted that matter is  
settled between the parties. The complainant has received  
cheque of Rs.7,00,000/-. Therefore, offence punishable  
under section 138 of Negotiable Instruments Act is  
compounded. The accused is acquitted for the offence  
punishable under section 138 of the Negotiable Instruments  
Act. Impugned judgments in Summary Criminal Case  
No.374/2013 and Appeal No.44/2015 are hereby quashed  
and set aside. The accused is in jail. He be set at liberty if he

is not required in any other crime or offence.

Revision is disposed of.

Steno copy be granted.

**JUDGE**

NSN